



ATTORNEY DOCKET NO. 53074-025  
PATENT

# 17  
10/19/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Tetsuzo UEDA ) Group Art Unit: 1765  
Serial No.: 09/904,129 ) Examiner: MATTHEW J. SONG  
Filed: July 11, 2001 )  
For: BUFFER LAYER AND GROWTH METHOD FOR SUBSEQUENT  
EPITAXIAL GROWTH OF III-V NITRIDE SEMICONDUCTORS )

ELECTION UNDER 35 U.S.C. § 121

Hon. Assistant Commissioner for Patents  
Washington, D.C. 20231

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TC 1700

Sir:

In response to the restriction requirement set forth in the Office Action mailed September 6, 2002, having a shortened statutory period for response set to expire October 6, 2002, wherein the Examiner required restriction between Species I - consists of a spin coated film is selected from the group consisting of GaN, AlN, InGaN and AlGaIn and Species II - consists of a spin coated film selected from the group consisting of zinc oxide, magnesium oxide and aluminum oxide, Applicant elects without traverse Species II, with claims 16-20, 23-25 and 31-43 for initial prosecution on the merits.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has

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inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417.

Respectfully submitted,

McDERMOTT, WILL & EMERY

Date: 10/7/02

By: 

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